

OPTIONAL FORM 99 (7-90)

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of pages 2

To: Lori Cora	From: Chip Humphrey
Dept./Agency: ORC	Phone #:

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OREGON OPERATIONS OFFICE
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Lower Willamette Group

Co-Chairperson: Bob Wyatt, NW Natural
Co-Chairperson: Jim McKenna, Port of Portland
Treasurer: Larry Patterson, ATOFINA

February 23, 2004

Chip Humphrey
US Environmental Protection Agency, Region 10
811 SW 6th Avenue, 3rd Floor
Portland, OR 97204

Eric Blischke
US Environmental Protection Agency, Region 10
811 SW 6th Avenue, 3rd Floor
Portland, OR 97204

RE: Portland Harbor Superfund Site.
Administrative Order on Consent for Remedial Investigation and Feasibility Study
EPA Comments on Programmatic Work Plan

Dear Chip and Eric:

Thank you for your February 11, 2004 comments on the LWG's Revised Draft Final Programmatic Work Plan. We agree to use the process outlined in your letter to obtain approval of the Work Plan and look forward to the March 3 meeting to resolve remaining issues.

By February 27, 2004, the LWG will submit the requested draft revisions to the Work Plan or, with respect to some individual comments, a request for clarification and an explanation of the clarification being sought. We anticipate that, absent significant disagreements, EPA intends to provide final approval of the Work Plan at the conclusion of the March 3 meeting.

We understand from a recent conversation with you that you will be providing the written rationale we have previously discussed for EPA's proposed fish consumption rates and exposure point concentrations to be used in the evaluation of the fish consumption exposure pathway in the human health risk assessment. We hope that you will explain the rationale for your decision to include salmon, sturgeon and lamprey in the human health risk assessment; explain how the analysis will be performed in the human health risk assessment; and identify the data that will be used in the analysis. We would like to understand whether EPA intends to use data from these species for setting sediment cleanup goals at the Portland Harbor Site and what the approach for doing so would be, recognizing the uncertainty associated with the source of contaminant loads in these wide-ranging migratory fish. Our human health risk assessment experts believe there is considerable uncertainty as to how the salmon, sturgeon and lamprey data can be used in risk management decisions at the site, and would like to know if this approach has been employed at other Region 10 sites or elsewhere. It is important to discuss this very significant issue at the March 3 meeting.

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Finally, because we anticipate that EPA will be prepared to grant final Work Plan approval at the March meeting, we believe it will be important to have attorneys attend this meeting, and we suggest that your attorney(s) attend as well.

Thanks again for expediting the final review and discussions on the workplan. We look forward to a productive discussion and an agreement on a final plan.

Sincerely,



Jim McKenna
Co-Chair

cc: LWG Executive Committee
LWG Legal Committee